

State of  
Washington  
House of  
Representatives



December 28, 2001

Senator Patty Murray  
173 Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator Murray:

We are writing to express our support for your decision to call for a General Accounting Office (GAO) audit to determine whether government biologists planted false evidence during a federal lynx study in the Wenatchee and Gifford Pinchot national forests.

Our state and many of our rural communities know from painful experience that there can be real consequences from an Endangered Species Act (ESA) listing. Any question about the credibility of the Canadian lynx study must be addressed immediately and decisively. Washington state citizens who have lost jobs, homes and businesses because of an ESA listing, as well as those who have committed property, time and effort to habitat restoration, deserve to know the truth. *Our confidence in the process can be sustained only if there is incontrovertible proof that the government has followed exacting standards of ethical behavior and scientific research when considering ESA actions.*

There are several unresolved issues to which an inquiry may bring clarification. Among them:

1. The copy of the U.S. Forest Service Investigation which was provided to the Washington Department of Wildlife (WDFW) by the U.S. Forest Service contained numerous missing pages, paragraphs, and blacked out sentences. *We have been told this was done to protect the confidentiality of the Forest Service employees.* This is unacceptable. These are not matters of national security, and the omissions raise suspicions of a possible cover-up. We insist that GAO auditor release the full text of the U.S. Forest Service investigation as a part of this inquiry.

2. A close reading of the parts of the U.S. Forest Service investigation we received indicates the two WDFW biologists exercised poor judgment by sending fake blind samples of fur to check the accuracy of the DNA testing. Given the information we have, which is incomplete, it appears there was no intent to fraudulently change the study. We request that the GAO auditor check the veracity of the statements made by all personnel involved, including a background investigation of each employee.

3. A central theme in the recent chain of events is distrust of the 1998 Weaver lynx survey of the Cascades. The Weaver survey found lynx as far south as Oregon, but the findings were never published nor peer-reviewed, and were ultimately *discredited* by DNA analysis in Canada. However, according to a published report in *The Oregonian*, the U.S. Forest Service cited conclusions in the (unpublished) Weaver report when it listed the lynx as a threatened species last year. Environmental groups have also attempted to use the unpublished survey to hold up timber sales.

In light of the fact that none of the samples found in the Weaver survey turned out to be lynx fur, and the unpublished findings were cited in the lynx ESA listing, we request the GAO auditor investigate to determine whether fake samples were placed in that survey. It would also be instructive to know why a study with discredited conclusions was used as a basis for the lynx listing.

4. In July 1999 the U.S. Forest Service conducted training for biologists participating in the lynx survey. Both of the Department of Fish and Wildlife biologists have stated they did not believe the training explained how this survey would be more accurate than the Weaver survey. We request that the GAO auditor investigate why the U.S. Forest Service (which coordinated the nationwide lynx survey in 16 states) was not able to adequately answer questions about how this survey would be more accurate than the one that was scientifically discredited one year before.

There's a serious issue of government integrity at stake, and we hope that raising these issues will be helpful in sorting out the facts.

In conclusion, there is more to investigate here than whether or not somebody stuck some fake fur on a scratching post. Deliberately falsifying samples can only be construed as professional malfeasance and an egregious abuse of public trust. Equally disturbing, however, is the implication that a discredited survey may have been utilized in determining an ESA listing. As elected representatives of the people of Washington, we have a duty to get to the bottom of this. We appreciate your diligence and applaud your decision to refer the matter to the General Accounting Office.

Sincerely,



JIM BUCK  
State Representative

*encl: signature page, members, Washington State Legislature*

Mark L. Wheeler

Mike Pearson

Mike Armstrong

Bruce Chandler

Lynn Schindler

J. Lel.

Pat Campbell

Bob Tump

Cyril Ballard

Bruce Woods

Bob Hill

Larry Jones

Jim Dunn

Jack Cairns

Brad Benson